

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

EQUAL EMPLOYMENT OPPORTUNITY)	
COMMISSION,)	
)	
Plaintiff,)	CIVIL ACTION NO.
)	
v.)	2:10-cv-02696-STA/tmp
)	
NEW BREED LOGISTICS,)	
)	
Defendant.)	

**PLAINTIFF EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
MOTION IN LIMINE TO EXCLUDE SOCIAL MEDIA POSTINGS**

Plaintiff Equal Employment Opportunity Commission (Commission) moves *in limine*, pursuant to Federal Rules of Evidence 401, 402, 403, and 412, to exclude any social media postings of Capricius Pearson as inadmissible. Even if admissible, such evidence would simply distract and confuse the jury, thereby outweighing any probative value that they might have. Accompanying this motion is a memorandum with argument and citations to authority.

Respectfully submitted,

P. DAVID LOPEZ
General Counsel

JAMES L. LEE
Deputy General Counsel

GWENDOLYN YOUNG REAMS
Associate General Counsel

FAYE A. WILLIAMS
Regional Attorney
TN Bar No. 011730

JOSEPH M. CROUT
Supervisory Trial Attorney
TN Bar No. 012957

s/ Kelley R. Thomas (with permission ACJ)
KELLEY R. THOMAS
Trial Attorney
TN Bar No. 023926

s/ Matthew H. McCoy (with permission ACJ)
MATTHEW H. MCCOY
Trial Attorney
IN Bar No. 29368-49
matthew.mccoy@eeoc.gov

**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**
1407 Union Ave., Suite 901
Memphis, TN 38104
(901) 544-0070

s/ Anica C. Jones
ANICA C. JONES
Trial Attorney
TN Bar No. 025325
anica.jones@eeoc.gov

**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**
220 Athens Way, Suite 350
Nashville, TN 37228
(615) 736-2105

CERTIFICATE OF SERVICE

I certify that on April 16, 2013, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system

Louis Britt, Esq.
Asia Diggs, Esq.
FORD & HARRISON, LLP
795 Ridge Lake Blvd., Suite 300
Memphis, TN 38120

Gerald L. Pauling II, Esq.
Christopher J. DeGroff, Esq.
Rebecca Sharon Bromet, Esq.
Ada W. Dolph, Esq.
Jason Priebe, Esq.
SEYFARTH SHAW, LLP
131 S. Dearborn Street, Suite 2400
Chicago, IL 60603

s/ Anica C. Jones
Anica C. Jones